

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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MYRON BARBER,

Civil No. 12-3101 (JRT/AJB)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

GOV. MARK DAYTON, RICK  
DUSPREHOF, DAVID MILLER,  
PATRICK A. KITTRIDGE, NICOLE  
KUBISTA, AND MATT BOSTROM,

Defendants,

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Myron Barber, N-46174, L.C.C., 10930 Lawrence Road, Sumner, IL  
62466, pro se plaintiff.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Arthur J. Boylan dated January 25, 2013 [Docket No. 8]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion to Proceed In Forma Pauperis, [Docket No. 2], is **DENIED**;
2. Plaintiff's Motion For Appointment of Counsel, [Docket No. 3], is **DENIED**;
3. Plaintiff's Motion For Service Of Process At The Government's Expense, [Docket No. 4], is **DENIED**; and
4. This action is **DISMISSED WITHOUT PREJUDICE**.

DATED: February 19, 2013  
at Minneapolis, Minnesota.

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge